

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, Washington, DC 20231" on

February 3, 2003

1/3/03

Margaret K. Surridge
Signature

Atty Dkt No. 7610/040,20

#61641
FEB 07 2003
PATENT
CENTER 1600/2800

RECEIVED

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

Richard N. ELLSON et al.

Serial No.: 10/040,925

Group Art Unit: 1641

Filing Date: December 28, 2001

Examiner: Unassigned

Title: DEVICE AND METHOD FOR TRACKING CONDITIONS IN AN ASSAY

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT AND CERTIFICATION UNDER 37 CFR § 1.97(e)

Commissioner for Patents
Washington, DC 20231

Sir:

This is a Supplemental Information Disclosure Statement submitted for the Examiner's consideration. Applicants respectfully request that the Examiner review and make of record the references identified below.

The references listed below are being submitted to the Office promptly after they have become known to applicants and are being submitted prior to the final determination on patentability by the Office.

The references listed below were cited in an International (PCT) Search Report dated January 3, 2003, for the PCT application corresponding to the above-identified U.S. patent application. A copy of the Search Report, including an indication of the purported relevance of the cited references, is enclosed. Copies of the references are also submitted herewith.

A PTO-1449 form listing the references accompanies this paper. Applicants would appreciate the Examiner's initialing and returning the form to indicate that the references have been reviewed and made of record. The references are as follows:

FOREIGN PATENT DOCUMENTS

| Document No. | Publication Date | Country |
|-------------------------------|------------------|---------|
| EP 0955085 A2 | 11/10/99 | Europe |
| DE 19938839 A1 | 8/10/00 | Germany |
| DE 20111022 U1 | 11/8/01 | Germany |
| JP 2000342264 (abstract only) | 12/12/00 | Japan |

TECH CENTER 1600/2900

FEB 07 2003

RECEIVED

| FOREIGN PATENT DOCUMENTS | | |
|--------------------------|------------------|---------|
| Document No. | Publication Date | Country |
| WO 99/35499 | 7/15/99 | PCT |
| WO 00/05582 | 2/3/00 | PCT |
| WO 01/71043 | 9/27/01 | PCT |
| WO 02/45845 | 6/13/02 | PCT |
| WO 02/051537 | 7/4/02 | PCT |

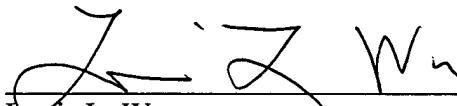
This Supplemental Information Disclosure Statement is not intended as a representation that additional information material to the examination of this application does not exist or that any of the above references constitutes prior art to the present application within the meaning of 35 USC § 102.

As this Supplemental Information Disclosure Statement is being filed within three months of the date of the International Search Report (i.e., January 3, 2003), no fee is required at this time. If, for any reason, a fee is found to be necessary, our Deposit Account No. 18-0580 may be charged therefor.

The undersigned hereby certifies that each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Statement (37 CFR § 1.97(e)(1)).

Respectfully submitted,

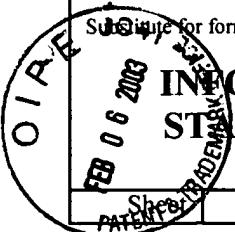
By:


Louis L. Wu
Registration No. 44,413

REED & EBERLE LLP
800 Menlo Avenue, Suite 210
Menlo Park, California 94025
(650) 330-0900 Telephone
(650) 330-0980 Facsimile

Substitute for form 1449A/PTO

INFORMATION DISCLOSURE
STATEMENT BY APPLICANT
(use as many sheets as necessary)



Sheet 1 of 1

| Complete if Known | |
|------------------------|--------------------------|
| Application Number | 10/040,925 |
| Filing Date | December 28, 2001 |
| First Named Inventor | Richard N. ELLSON et al. |
| Art Unit | 1641 |
| Examiner Name | Unassigned |
| Attorney Docket Number | 7610-0040.20 |

FOREIGN PATENT DOCUMENTS

| Examiner Initials* | Cite No. | Foreign Patent Document No. | Publication Date | Country | Class | Subclass | T |
|--------------------|-------------------------------|-----------------------------|------------------|---------|-------|----------|---|
| BD | EP 0955085 A2 | 11/10/99 | Europe | | | | |
| BE | DE 19938839 A1 | 8/10/00 | Germany | | | | |
| BF | DE 20111022 U1 | 11/8/01 | Germany | | | | |
| BG | JP 2000342264 (abstract only) | 12/12/00 | Japan | | | | |
| BH | WO 99/35499 | 7/15/99 | PCT | | | | |
| BI | WO 00/05582 | 2/3/00 | PCT | | | | |
| BJ | WO 01/71043 | 9/27/01 | PCT | | | | |
| BK | WO 02/45845 | 6/13/02 | PCT | | | | |
| BL | WO 02/051537 | 7/4/02 | PCT | | | | |

RECEIVED
TECH CENTER AND PRC
FEB 17 2003
2000

| | |
|--------------------|-----------------|
| Examiner Signature | Date Considered |
|--------------------|-----------------|

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.